

REMARKS

Claims 1-8 and 15-20 were rejected under 35 U.S.C. 102(b), as being anticipated by Vetter.

It is submitted that our Claim 1 defines a composite material comprising a base structural member having at least one major surface and an overlay polymer layer "linked to" said at least one major surface...by chemical and/or physical links with the structural member.

It is further submitted that the Examiner's construction of Vetter is too broad in that there is no teaching or suggestion in the reference of anything but "adhesively bonded layers". The Examiner's attention is directed to the extensive discussion of the drawbacks of adhesive bonding in the Background of Invention section of our specification.

By this amendment, claim 1 has been amended to further specify the nature of the "linking" of the layers in our claimed composite ie. as being provided by fusion bonding or welding. This wording is supported by our specification at page 7, line 1.

Claim 1 has been further amended to specify that the polymer layer is "reinforced with a filler or fibres". This wording is taken from original claim 9. The Examiner will appreciate that Vetter's disclosure is restricted to composites of pure polymers

Claim 15 has been amended in a similar manner, and claims 18-20 have been cancelled to reduce issues.

Accordingly, the withdrawal of this issue is believed to be in order.

Claims 9-11 were also rejected, ie. under 35 U.S.C. 103(a) as being unpatentable over Vetter in view of the applicants' discussion of the prior art. The Examiner further states that the applicants' discussion of the prior art at paragraphs [05], [08] and [09] teaches that it is known to reinforce thermoplastic layers with wood fibres. The Examiner then concludes that it would have been obvious...to include wood fibres in the thermoplastic material.

It is respectfully submitted that the Examiner's conclusion is purely based upon hindsight.

The Examiner will also note the numerous examples in our specification of prior art approaches to the problem of providing in structural products, mechanical properties comparable to wood, but with higher strength, lower costs and weight considerations(e.g. see Table 3 on page 14). Although it is

well known per se to reinforce polymer materials with fibres, there is no teaching or suggestion in Vetter or in the prior art discussed in the specification, of the laminated product defined in applicants' claims as amended herein.

It is further submitted that the discussion of the prior art in these paragraphs of our specification is restricted to "adhesively bonded" composite polymer layers. See paragraph [05], lines 8-9. Paragraph [8] relates to composites comprising a hardwood base, and paragraph [09] discusses the disadvantages of non-laminated single layer products, both of which are outside of the scope of the amended claims.

Accordingly, the Examiner is requested to withdraw this issue.

Claims 12-14 were also rejected under 35 U.S.C. 103(a), as being unpatentable in view of Vetter in view of applicants' discussion of the prior art as applied to claims 9-11 above, and further in view of Kimura et al. .

The Examiner further states that Kimura et al teaches to use a "fabric reinforced polymer layer 3" as the outer layer on a hollow core 5 used in building and automotive applications.

First, there is no teaching or suggestion in Kimura of the use of a fiber-reinforced hollow core member. Moreover, there is no such teaching or suggestion in the primary reference, as required by our amended claims.

Further, the Examiner alleges that Kimura teaches "a fibre-reinforced fabric" and a "fabric reinforced polymer layer 3" . It is submitted that both constructions are incorrect.

Clearly, in Kimura, only a fibrous material is disclosed....

Specifically, in Kimura, the cover layer 3 is described at col. 4. lines 7-8 as a fabric having outwardly protruding fuzzy hairs. The material is further described at lines 9-15 as comprising various natural fibres, semi-synthetic fibres, synthetic fibres and blends of these fibres. Accordingly, the fabric is a fibrous material comprising fibres or fibre blends. There is no teaching or suggestion of the use of a cover layer of a polymer reinforced with fibres, as required by our amended claim 12 and original claim 14.

Accordingly, withdrawal of this issue is believed to be in order.